32692 Customer Number Docket No.: 59098US002

1642

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SCOTT A. BURTON, PATRICK D. HYDE and DANIEL T. POPKO

Serial No.:

10/729,114

Filed:

December 5, 2003

Examiner:

Group Art Unit:

For:

WOUND DRESSINGS AND

**METHODS** 

## <u>INFORMATION DISCLOSURE STATEMENT</u>

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

In accordance with 37 C.F.R. Sections 1.56, 1.97 and 1.98, Applicants wish to call to the Examiner's attention the references identified on completed Form PTO-1449 (4 pgs.), which generally relate to the present invention. Copies of any cited foreign patents, non-patent literature, and unpublished US application documents are enclosed. Pursuant to the waiver in the Pre-OG Notice, dated July 25, 2003, copies of US patents and published US patent applications are no longer required and are not enclosed. It is respectfully requested that the Examiner initial and return the enclosed Form PTO-1449 (4 pgs.) to indicate that each reference has been considered.

The Examiner's attention is also directed to the following co-pending, co-assigned U.S. Patent applications and the references cited therein: USSN 08/577,603, filed December 22, 1995; USSN 10/387,236, filed March 12, 2003; and USSN 10/728,439, filed December 5, 2003. Copies of these applications are enclosed herewith for consideration by the Examiner.

U.S. Patent No. 3,911,115 is an English language equivalent to German Offenlegungsschift 2 260 536, both are referenced on the PTO 1449 form enclosed.

> THEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAD IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS.

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Should a First Office Action on the merits be mailed prior to the filing of this Disclosure Statement, please charge the requisite \$180.00 fee (pursuant to 37 C.F.R. §§ 1.97(c) and 1.17(p)) to Deposit Account No. 13-3723.

Applicants submit that the above references, whether taken alone or in combination with each other neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the captioned application is respectfully requested.

Respectfully submitted,

Mancy M. Lambert
NANCY M. LAMBERT

Registration No. 44,856 Attorney for Applicants

NML:jlh/59098US002 IDS Office of Intellectual Property Counsel 3M Innovative Properties Company P.O. Box 33427 St. Paul, Minnesota 55133-3427 (651) 733-2180

Facsimile: (651) 736-3833

Dated: May 10, 2005

OMB No. 0651-00	1	1
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STATEMENT			Applicant(s): Scott A. Burton, Patrick D. Hyde and Daniel T						
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Filing Date: December 5, 2003 Group: 1642 U.S. PATENT DOCUMENTS									
Examiner	Document Nu		ENT DOCU		Class SubC	lace Filing	g Date		
Initial	Document Nui	ilder D	ate	Name	iass Subc		ropria		
	2,521,713	09/12		z 16°					
7C 106	2,736,721	02/28	8/56 Dexte						
8	3,685,993	08/22	2/72   Mukł	nerjee 96	33				
5 5000 7	3,800,792	04/02	2/74 McK	night et al. 12	8   156				
<b>3</b>	3,841,953	10/15	5/74 Lohk	amp et al. 16	1 150				
DEMORITO	3,911,115	10/07	7/75 Hadh	anyi 42	4 180				
DEMP	4,024,312	05/17	7/77 Korp	man 42	8 343				
	4,340,043	07/20	)/82 Seym	our 12	8 132				
	4,528,321	07/09	9/85 Allen	et al. 524	4 761				
	4,590,227	05/20	)/86 Naka	mura et al. 52:	3 130				
	4,603,152	07/29	9/86 Lauri	n et al. 604	4 265				
	4,646,730	03/03	3/87 Schoi	nfeld et al. 723	8 156				
	4,892,528	01/09	9/90 Suzul	ki et al. 604	4 385				
	4,921,704	05/01	/90 Fabo	424	4 446				
	5,075,373	12/24	1/91 Taker	mori et al. 52:	5 57				
	5,176,952	01/05	5/93 Josep	h et al. 425	8 284				
	5,209,971	05/11	1/93 Babu	et al. 423	8 343				
	5,214,119	05/25	5/93 Leir e	et al. 528	8 28				
	5,270,358	12/14	1/93 Asmu	is 524	4 55				
•		FOREIGN P	ATENT DO	CUMENTS					
	Document Nui	nber D	ate	Country C	lass SubC	lass Tran Yes	nslati N		
	0 126 528 A2	2 11/28	3/84 EPO	C0	8F 2/32				
	0 172 025 B1	02/19	9/86 EPO	C0	8F 2/08	3 'X			
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				oeia, 1993, Addend	dum 1996,	pgs. 194	<del>13</del> -		
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				r II; John Wiley &	Sons Inc. (	(1966) p	gs.		
-	27-125			•					
		Rheology N	Aodifiers" fro	m Ciba Specialty C	hemicals 2	2001 (1 r	og.		
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Based on Form PTO-FB-A820 (Also form PTO-1449)

INFORMATION		Atty. Docket No.: 59098US002			Serial No.: 10/729,114					
DISCLOSURE										
STATEMENT		Applicant(s): Scott A. Burton, Patrick D. Hyde and Daniel T Popko								
			Filing Date: December 5, 2003 Group: 1642							
					DOCUMENTS		10.10	T7:1:	Data	
Examiner   Initial		Document Numbe	r	Date	Name	Class	SubClass	Filing Appr	Date opriat	
PE		5,326,567		07/05/94	Capelli	424	405			
		5,340,363		08/23/94	Fabo	604	304			
2 300	Ш	5,369,155		11/29/94	Asmus	524	55			
1 2 200	FIGE	5,389,092		02/14/95	Guillemet et al.	604	304			
TRADEM	\$	5,409,472		04/25/95	Rawlings et al.	604	307			
TOLOGNE		5,418,257		05/23/95	Weisman	521	54			
HAUEP		5,429,819		07/04/95	Oka et al.	424	400			
		5,437,932		08/01/95	Ali et al.	428	461			
		5,476,712		12/19/95	Hartman et al.	428	317			
		5,512,041		04/30/96	Bogart	602	58			
		5,516,581		05/14/96	Kreckel et al.	428	317			
		5,567,779		10/22/96	Sackmann et al.	525	329			
		5,681,579		10/28/97	Freeman	424	448			
		5,744,151		04/28/98	Capelli	424	405			
		5,750,134		05/12/98	Scholz et al.	424	434			
		5,844,013		12/01/98	Kenndoff et al.	521	137			
		5,848,995		12/15/98	Walder	604	265			
	· · · · · ·	6,039,940	<del></del>	03/21/00	Perrault et al.	424	78			
		6,103,152		08/15/00	Gehlsen et al.	264	45			
		6,126,931		10/03/00	Sawan et al.	424	78			
		6,130,303		10/10/00	Neff et al.	526	306			
		6,156,678		12/05/00	Mukaida et al.	442	118	<b></b>		
			DRE		NT DOCUMENTS	<u>.</u>	- <del></del>			
		Document Numbe		Date	Country	Class	SubClass	Tran	_	
		0 489 967 A1		06/17/92	EPO	B01J	20/26	Yes	No	
		0 497 607 B1		08/05/92	EPO	A61F	13/02	X	<del>                                     </del>	
		0 567 704 B1		11/03/93	EPO	A61F	13/02	$\frac{X}{X}$	1-	
		1 033 141 A1		09/06/00	EPO	A61L	15/00	$\frac{x}{x}$	t	
		63077948		04/08/88	Japan (Abstract only)	C08J	9/22	<del>  ^`</del>	$f^-$	
<del></del>		02303818		12/17/90	Japan (Abstract only)	B29C	67/22	<del>                                     </del>	1	
		03193047		08/22/91	Japan (Abstract only)	A61F	13/00	$\vdash$	†	
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		Specialty Chem				DJ 1,1041			-	
	_	1 ^			iefs entitled "Bayer De	velons N	lew			
					ed 10/2/01 (1 pg.)					
	$\dashv$				erization"; 3rd Edition;	1991: ns	zs. Table	of		
		Contents and 35			, , , , , , , , , , , , , , , , , , , ,	, Pl	J			
					racterization of Water	-Swellab	le Natura	 [		
					lymer Science; Vol. 80					
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION		Atty. Docket N	Serial No.: 10/729,114					
DISCLOSURE		Applicant(s): Scott A. Burton, Patrick D. Hyde and Daniel 7						
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<u>-</u>			ecember 5, 2003	Group	o: 1642			
Examiner	Document Number	Date	DOCUMENTS Name	Class	SubClass	Filing		
Initial	6,201,164 B1	03/13/01	Wulff et al.	602	48	Арр.	φp.	
PEC	6,270,792 B1	08/07/01	Guillemet et al.	424	443	<del>                                     </del>		
V E C	6,277,892 B1	08/21/01	Deckner et al.	514	772	<b> </b>		
AY 1 2 2395 a	6,284,362 B1	09/04/01	Takai et al.	428	326	<del> </del>		
N 1 2 2015	6,288,076 B1	09/11/01	Kostyniak et al.	514	299			
- S	6,297,335 B1	10/02/01	Funk et al.	526	317			
THADE ARE	6,379,791 B1	04/30/02	Cernohous et al.	428	355			
	6,468,521 B1	10/22/02	Pedersen et al.	424	78	<b> </b> -		
		04/15/03	Swenson	602	41	<del>                                     </del>		
	6,548,727 B1	06/24/03		424	405	<del> </del>		
	6,582,711 B1		Asmus et al. Gibbins et al.	602	41	<del>                                     </del>		
	6,605,751 B1	08/12/03				<del> </del>		
	6,838,078 B2	01/04/05	Wang et al.	424	78	<del>                                     </del>		
	2001/0010016 A		Modak et al.	623	42	<del>                                     </del>		
	2003/0021832 A	<del></del>	Scherr	424	445			
	2003/0049300 A		Terry	424	423	<u> </u>		
	2003/0118629 A		Scholz et al.	424	443	<u> </u>		
Т	FO Document Number	REIGN PATE.	NT DOCUMENTS Country	Class	SubClass	Tran	slat	
	Document Number	Date	Country			Yes	I	
	2-684217	12/03/97	Japan w/machine translation	C08L	101/14			
	273 846 A1	11/29/89	Germany (translation only)	C09J	3/14	X		
	2 260 536	07/04/74	Germany (see US3911115)	C08b	19/00			
	199 58 697 A1	06/07/01	Germany	B01J	20/00		7	
	WO 89/02754 A		PCT	A61L	15/03	X	Τ	
	WO 91/09633 A		PCT	A61L	15/22	X	1	
	WO 96/11226 A		PCT	C08J	9/32	X		
OTI	HER DOCUMENTS		<del></del>			2.)		
			for Free Radical Poly					
	Organic Coating	s, 13 (1985) pgs	. 123-150					
			perfine Organic Fibe		t No. 436	4 of t	he	
			lished May 25, 1954					
	Wente; "Superfir	ne Thermoplasti	c Fibers"; Industrial	and Engine	eering Ch	emist	ry	
	Vol. 48, No. 8, p	gs. 1342-1346;	August 1956					
			Efficacy of Two An					
			ntrolled Release of S		sings"; Wo	ound	S	
	10(6); 179-188, 1	1998 © Health N	Management Publicat	tions, Inc.				
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STAT	9	Pop Filir U.S. nber 6 A1 3 A1 3 A1	ko 1g Date: D	Scott A. Burton, P ecember 5, 2003 DOCUMENTS Name Mosbey et al. Lucast et al. Burton et al.		yde and I  : 1642  SubClass  554	Panie Filing Appro	T 1
Examiner Initial Co	2003/0149100 2003/0175500 2004/0180090 2005/0025794	Pop Filir U.S. nber 6 A1 3 A1 3 A1	ko ng Date: D PATENT Date  08/07/03 09/18/03 09/16/04	DOCUMENTS  Name  Mosbey et al.  Lucast et al.	Class 514	SubClass	Filing	
Initial COMMAN 1 7 TONS	2003/0149100 2003/0175500 2004/0180090 2005/0025794	Filir U.S. nber 6 A1 3 A1 3 A1	Date: D PATENT Date  08/07/03  09/18/03  09/16/04	Mosbey et al. Lucast et al.	Class 514	SubClass		<u> </u>
Initial COMMAN 1 7 TONS	2003/0149100 2003/0175500 2004/0180090 2005/0025794	6 A1 3 A1 3 A1	08/07/03 09/18/03 09/16/04	Mosbey et al. Lucast et al.	514			
Initial COMMAN 1 7 TONS	2003/0149100 2003/0175500 2004/0180090 2005/0025794	6 A1 3 A1 3 A1	08/07/03 09/18/03 09/16/04	Mosbey et al. Lucast et al.	514			Date
NW 1 5 1002	2003/0175503 2004/0180093 2005/0025794	3 A1 3 A1	09/18/03 09/16/04	Lucast et al.		554		
NW 1 5 1002	2004/0180093 2005/0025794	3 A1	09/16/04		428			
NW 1 5 1002	9			Burton et al.		343		
MAY 1 2 2000	9	4 A1	02/03/05		424	489		
MAY 1 7 COM				Wang et al.	424	401		
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	Document Num		Date	Country	Class	SubClass	Trans	slatic
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	WO 96/25469		08/22/96	PCT	C09J	133/08	X	┼
	WO 97/00163		01/03/97	PCT	B29C	47/10	X	⊢
	WO 97/2357		07/03/97	PCT	C09J	201/00	X	⊢
	WO 99/5720		11/11/99	PCT	C08L	101/00	X	╀
	WO 00/09173		02/24/00	PCT	A61L	2/16		╀
	WO 00/74910		12/14/00	PCT	B29C	44/56	X	╁
	WO 01/24839		04/12/01	PCT	A61L	15/22		+
	WO 01/43783		06/21/01	PCT	A61L	27/34	X	┼
	WO 02/43743		06/06/02	PCT	A61K A61L	31/74	X	┼─
	WO 02/06603		08/29/02	PCT	A61L	15/28	X	╁
	WO 03/0223		03/20/03	PCT	A61L	13/26	$\frac{\lambda}{X}$	╁─╴
	WO 03/04763		06/12/03	PCT	A61L	15/44	$\frac{\lambda}{X}$	╁
	WO 03/0534	84 A1	07/03/03	PCT	AOIL	13/44	_	$\vdash$
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